

Application No. 09/779,799
Response and Amendment dated June 4, 2004
Reply to Office action of March 4, 2004
Docket Number 19427/04099

REMARKS

Claims 1-17 are pending in this application. Applicant acknowledges that the Patent Office has indicated claims 1-8, 10, and 13 would be allowable if rewritten or amended to overcome the rejections under § 112, as set forth in the Office Action.

By this Amendment, claims 1, 8-11, and 17 have been amended for clarity according to the suggestions of the Patent Office, claims 14-16 have been cancelled, and new claims 18-19 have been added. The specification has been amended consistent with the proposed drawing amendments. The amendments and the new claims do not add any new matter.

Reconsideration of claims 1-13, and 17, and of new claims 18-19, is respectfully requested.

Drawing Correction

As identified by the Patent Office, the reference character "22" has been used to designate both the slide member and one of the bosses, as depicted in Figures 1, 2 and 3. Applicant proposes to amend the drawings to use reference character "22" to designate the slide member, and to use reference characters "23A" and "23B" to depict each of the two bosses shown in Figure 3. Applicant has in this Response and Amendment amended the specification accordingly for consistency with this proposed drawing amendment.

The proposed drawing amendments will be submitted once allowable subject matter in the present application is obtained.

§ 112 Rejections - New Matter

The Patent Office has rejected claims 9, 11, 12, and 14-16 for containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Patent Office points particularly to the referenced angles of the downwardly extending members as being in the specific angle range of 90 degrees to 75.8 degrees.

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Applicant respectfully disagrees with the Patent Office. Figures 2, 5, and 6 each clearly depict the described portions of the claimed article, and the referenced angles in each of these figures measures 75.8 degrees using a standard protractor. It is well established that the drawings as filed in the original specification are part of the disclosure. The drawings in the instant case provide disclosure regarding one preferred embodiment of the claimed article having a particular angle as referenced in the amended original and subsequently presented claims. Applicant submits that one of ordinary skill in the art would be able to obtain a measurement of the referenced angles as depicted in the described figures using a tool such as a standard protractor, whether or not the angle was recited in the text of the specification. Accordingly, Applicant submits that the recitation of the referenced angle in the claims does not constitute new matter. Applicant has amended claims 9, 11 and 12 for clarity, and new claims 18 and 19 have been added as dependent claims to claims 9 and 11. Claims 14-16 have been cancelled, thereby rendering moot the rejection of those claims. Reconsideration of claims 9, 11, and 12, and consideration of new claims 18 and 19 is respectfully requested.

§ 112 Rejections -- Indefiniteness

The Patent Office has stated that Claims 1-13, 15, and 17 are indefinite. Specifically, the Patent Office has stated that claims 1 and 11 are vague for reciting "an aligned detent member." The Patent Office has further stated that claims 8 and 9 are indefinite for reciting "an aligned recess." Claims 1, 8, 9, and 11 have been amended for clarity as specifically suggested by the Patent Office. The Patent Office has rejected claims 10, 12, and 13 for lacking antecedent basis in connection with recitations identified in the Office Action. These claims have been amended for clarity consistent with the comments of the Patent Office. Applicant respectfully requests reconsideration of claims 1-13, 15, and 17.

§ 103 Rejections

Claims 14-16 have been cancelled without prejudice or disclaimer, thereby rendering moot the rejection of these claims based on European patent publication EP 0309421A1 to MILLEX, INC.

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- - - - NO. 9038 - P. 13 -

Application No. 09/779,799
Response and Amendment dated June 4, 2004
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Docket Number 19427/04099

Conclusion

In view of the amendment to this application and the remarks made above, reconsideration of claims 1-13, and 17, and of new claims 18-19, is respectfully requested.

Applicant believes that his application is now in condition for allowance, and prompt notice to that effect is respectfully requested.

Respectfully submitted,

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